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REMARKS

In response to the Office Action mailed on October 5, 2006, Applicant respectfully requests reconsideration. Claims 1-9 are pending in this Application.

Specification Objections

The Specification was objected to at page 8 for confusing language. The Applicant thanks the Examiner for pointing this out, but respectfully notes that the text as presented lists a series of events (e.g., “customized logic units are loaded by the instance initiator ...; ... the specific logic unit is loaded; ... all logic units are loaded;” etc.) that trigger a logic unit relative to the occurrence of each event. For example, the system will trigger a designated logic unit when it detects that “customized logic units are [about to be] loaded” or when “a question loses focus.” The occurrence of the listed events is itself the trigger; each of these actions or occurrences is detected by the computer instructions (for example, a software program) that comprise the present system. Accordingly, Applicants respectfully request withdrawal of this objection.

Specification paragraphs on pages 7, 11, and 13-14 have also been amended to correct minor editorial problems. No new matter has been added.

Claim Objections

Claims 1, 4 – 6, 8, and 9 were objected to for grammatical and technical informalities. These particular informalities are corrected in the amended Claims. Additional informalities and indefiniteness in Claims 2, 3, and 7 have also been corrected via amendment to increase clarity and readability. These editorial amendments are not made to distinguish any prior art, nor to limit claim scope in any fashion, nor for reasons of patentability as contemplated in *Festo* and its progeny. (Note that the amended text of Claim 8 has been incorporated into Claim 1 in accordance with the Examiner’s finding that Claim 8, once amended to obviate the Examiner’s

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objections and rejections, constitutes allowable subject matter. Original Claim 8 is hereby withdrawn.)

Claim Rejections - 35 U.S.C. §101

Claims 1 – 9 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. The claims, as presently amended, overcome this rejection. In particular, Claim 1 is amended to place the claim in a *Beauregard*-style computer apparatus claim form. Additionally, Claim 1 was also amended to include the limitations of the allowable subject matter of Claim 8 recited by the Examiner.

Regarding the Examiner's contention that "Claim 1 is directed to an abstract idea that does not produce a concrete, useful and tangible result in that the questionnaire is not stored, displayed or printed," Applicant respectfully traverses. The purpose of the system of Claim 1, as recited in the preamble, is "for individually tailoring computerized questionnaire administration..." The term "administration," (which also appears in the penultimate line of Claim 1) refers to the production and presentation of a variety of concrete, useful, and tangible questionnaires in the form of computer display screens (see, e.g., Specification pages 2 and 7), viewing via web or internet access (pages 2 – 4, 7), and audible or interactive voice prompts as seen in common interactive voice recognition systems (see page 7). Accordingly, the resulting questionnaire is in fact stored and displayed in a concrete, useful and tangible form and thus Applicant must respectfully request this rejection be withdrawn.

In the alternative, since Claim 1, as amended, conforms closely to the *Beauregard* form of a computer-implemented invention, Applicant believes this rejection has been overcome.

Since Claims 2 – 9 depend from Claim 1, and Claim 1 contains statutory subject matter, the §101 rejection of Claims 2 – 9 is thus overcome.

Claim Rejections - 35 U.S.C. §112

Claims 1 – 9 were rejected under 35 U.S.C. §112 as indefinite. The claims, as presently amended, overcome this rejection. In particular, Claims 1, 3, and 5 are amended to delete the

indefinite language cited by the Examiner. Since Claims 2 – 9 were also rejected under §112 for being dependant on Claim 1, the present amendment also overcomes this rejection.

Claim Rejections - 35 U.S.C. §102(e)

Claims 1 – 7 were rejected under 35 U.S.C. §102(e) being anticipated by U.S. Patent No. 6,725,447 (hereinafter Gilman). Independent Claim 1 is hereby amended to incorporate the limitations of allowable Claim 8. Accordingly, original Claim 8 is hereby withdrawn. Allowable Claim 9 is hereby amended to depend from Claim 1. Formerly dependant Claim 8 has thus been “rewritten in independent form including all of the limitations of the base claim,” including amendments to obviate all objections and rejections of both base Claim 1 and dependant Claim 8. Accordingly, Applicant submits that Claim 1, as amended, is now in condition for allowance. Furthermore, as each of dependent Claims 2 – 9 depends from unanticipated base Claim 1, each dependent Claim is therefore allowable for at least the same reasons as base Claim 1.

New Claims 10 and 11 have been added to capture allowable subject matter in form of a “computer-readable medium storing a computer program ... executable by a plurality of computers” (Claim 10) and a “computer data signal embodied in a carrier wave” (Claim 11). The addition of Claim 10 finds support on pages 7 (first paragraph of DETAILED DESCRIPTION, referencing client-server application), and page 13 (first paragraph, referencing a “hosting website”). The addition of Claim 11 finds support on pages 7 (first paragraph of DETAILED DESCRIPTION, referencing the Internet), page 13, and page 15 (last paragraph, referencing a “hosting website”). Accordingly, Applicant believes no new matter has been added.

Summary

Applicants believe that the Claims as amended are in condition for allowance. A notice to this affect is respectfully requested. Applicants believe there is no fee required for this amendment.

Respectfully submitted,

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